

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NIMITZ TECHNOLOGIES LLC, Plaintiff, v. CNET MEDIA, INC., Defendant.	Case No. 1:21-cv-01247-CFC
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REPLY TO DEFENDANT’S COUNTERCLAIMS

Plaintiff and Counterclaim Defendant Nimitz Technologies LLC (“Nimitz”) hereby answers the counterclaims of Defendant and Counterclaim Plaintiff Counterclaim Plaintiff CNET Media, Inc. (“CNET”) (“Defendants’ Counterclaims”) (D.I. 9). The headings are included for reference purposes only. If any headings are construed to contain allegation(s) against the Plaintiff or Counterclaim Defendant, the allegation(s) are denied. Each allegation not specifically admitted in this Answer is expressly denied.

CNET’s COUNTERCLAIMS

PARTIES

1. Admitted.
2. Admitted.

JURISDICTION

3. Nimitz repeats and incorporates by reference Paragraphs 1-2 above, as though fully set forth herein.

4. Nimitz admits that Defendant has filed Counterclaims seeking a declaration of patent non-infringement arising under the Declaratory Judgment Act, 28 U.S.C. § 2201, et seq., and the patent laws of the United States, 35 U.S.C. § 1, et seq. Otherwise the paragraph is Denied.

5. Admitted.

6. Admitted that venue is proper, and otherwise Denied.

COUNT I: DECLARATION REGARDING INFRINGEMENT

7. Nimitz repeats and incorporates by reference Paragraphs 1-6 above, as though fully set forth herein.

8. Admitted.

9. Denied.

10. No response is required. In the event a response is required, Denied.

COUNT II: DECLARATION REGARDING INVALIDITY

11. Nimitz repeats and incorporates by reference Paragraphs 1-10 above, as though fully set forth herein.

12. Admitted.

13. Denied.

14. No response is required. In the event a response is required, Denied.

GENERAL DENIAL

Nimitz denies each and every averment and allegation in Defendant's Counterclaims that Nimitz has not expressly admitted.

PRAYER FOR RELIEF

Plaintiff Nimitz Technologies LLC respectfully requests that the Court find in its favor and against Defendant CNET Media, Inc., and that the Court grant Plaintiff the following relief::

- A. an adjudication that Defendant had infringed the '328 Patent;
- B. denial of all counterclaims;
- C. an award of damages to be paid by Defendant adequate to compensate Plaintiff for Defendant's past infringement of the '328 Patent, including pre-judgment and post-judgment interest, costs, expenses, and an accounting of all infringing acts; and
- D. any and all such further relief at law or in equity that the Court may deem just and proper, including but not limited to attorneys' fees.

JURY DEMAND

Nimitz admits that Defendants purport to demand a jury trial.

Respectfully submitted by:

/s/ George Pazuniak

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